

CHAPTER 4

LAW ENFORCEMENT

<i>Section Number</i>	<i>Title</i>	<i>Ordinance Number</i>	<i>Date of Ordinance</i>
4.01	Police Department Personnel		
4.02	Director of Public Safety: Duties and Powers		
4.03	Police Officers: Duties and Powers		
4.04	Power of Arrest		
4.05	President's and Trustee's Police Powers		
4.06	Law Enforcement Standards Board Program		
4.07	Police Alarm Systems		

4.01 POLICE DEPARTMENT PERSONNEL.

- (1) **ENUMERATED.** The Director of Public Safety shall head the Police Department. The Police Department shall also include such police officers as the Village Board may prescribe by ordinance or resolution. The police officers shall be appointed by the Director of Public Safety, subject to approval by the Village Board.
- (2) **SALARY; COLLECTION OF FEES.** The Director of Public Safety and the police officers shall receive a salary fixed by the Village Board and shall not be entitled to any other compensation. All fees, bail deposits and other special remuneration or funds collected or received by the Department or any officers thereof shall be deposited with the Clerk of Municipal Court.
- (3) **TENURE OF DIRECTOR OF PUBLIC SAFETY AND POLICE OFFICERS.** The Director of Public Safety and non-probationary police officers may be suspended, reduced in rank, suspended and reduced in rank, or removed at any time only for just cause under §62.13(5), Wis. Stats., except that a person appointed by the Village Board under §61.65(1)(am)2., Wis. Stats., shall act in place of a board of police and fire commissioners. Probationary police officers may have their employment terminated during a probationary period with or without cause and they shall not be entitled to a hearing or review of such termination.

4.02 DIRECTOR OF PUBLIC SAFETY: DUTIES AND POWERS.

- (1) The Director of Public Safety shall have general supervision of and be responsible for the personnel and general efficiency of the Police Department.
- (2) The Director of Public Safety shall obey all lawful written orders of the President or Village Board.
- (3) The Director of Public Safety shall cause the public peace to be preserved and ensure that all laws and ordinances of the Village and State are enforced; and whenever any violation thereof comes to his knowledge, he shall cause the requisite complaint to be made and see that the evidence is procured for the successful prosecution of the offender.
- (4) The Director of Public Safety shall be solely responsible for the care and condition of the equipment used by his Department.
- (5) The Director of Public Safety shall keep an accurate and complete record of all complaints, arrests, traffic violations, convictions and dispositions of the Department. Such records shall be open to public inspection at times set by the

Department, shall be the property of the Village and shall be turned over by the Director of Public Safety to his successor in office.

- (6) The Director of Public Safety shall devote his entire on-duty time to his official duties.
- (7) The Director of Public Safety shall keep an accurate and complete record of all fees, bail deposits and any other special remuneration or funds received by the Department.

4.03 POLICE OFFICERS: DUTIES AND POWERS.

Each police officer of the Department shall possess the powers conferred on marshals and constables by law and shall preserve the public peace and enforce the laws and ordinances of the state and Village subject to the orders, rules and regulations of the Director of Public Safety, the President and the Village Board.

4.04 POWER OF ARREST.

Village police officers shall arrest any person in the Village found in the act of violating any law of the state or ordinance of the Village; shall arrest without warrant any person whom they have reasonable grounds to believe has violated any law or ordinance and who will not be apprehended unless immediately arrested; shall take any arrested person in charge and confine such person; and shall, within a reasonable time, bring such person before the court having jurisdiction thereof to be dealt with according to law.

4.05 PRESIDENT'S AND TRUSTEES' POLICE POWERS.

The President and trustees shall have and exercise the powers of peace officers and may summarily suppress any riotous or disorderly conduct in the streets or public places of the Village.

4.06 LAW ENFORCEMENT STANDARDS BOARD PROGRAM.

- (1) **ELECTION TO PARTICIPATE.** The Village hereby elects to participate in the recruit qualifications and training program of the Wisconsin Law Enforcement Standards Board.
- (2) **PROBATIONARY AND TEMPORARY OFFICERS TO MEET RECRUIT QUALIFICATIONS.** Before an individual may commence employment on a probationary or temporary basis as a law enforcement officer, that individual shall have met the recruit qualifications set by the Wisconsin Law Enforcement Standards Board.

(3) **PERMANENT OFFICERS TO COMPLETE RECRUIT TRAINING COURSES.**

- (a) Before an individual may commence employment on a part or full-time permanent basis as a law enforcement officer, that individual shall have been certified by the Board as having met the recruit qualifications and as having successfully completed the preparatory training course required under the Board's recruit training standards.
- (b) Recruit training shall be successfully completed by the trainee within the probationary period. Under justifiable circumstances, this period may be extended, but the total period during which a person may serve as a law enforcement officer on a probationary or temporary basis without successfully completing a preparatory training course approved by the Wisconsin Law Enforcement Standards Board shall not exceed two years.

4.07 POLICE ALARM SYSTEMS.

- (1) **PURPOSE.** The purpose of this section is to establish regulations, standards and controls relating to the type, use and installation of police alarm devices, whether such alarm devices are monitored by the Police Department, a private alarm company or any other person, and to establish a Police Department Central Alarm Station and policies and procedures for the development and use of a central monitoring station.
- (2) **DEFINITIONS.**
 - (a) False alarm as used in this section shall mean a signal from an alarm system resulting in a response by the Police Department when an emergency situation did not exist.
 - (b) Police alarm as used in this section shall mean a device which, when actuated by a criminal act or other emergency requiring police response, transmits a signal to a central alarm system or directly to the Police Department, or produces an audible or visible signal designed to notify persons within audible or visual range of the signal.
- (3) **PROHIBITION.** No person shall sell, use or cause to be used any telephone or electronic device or attachment that automatically selects a telephone truck or the Police Department and produces any prerecorded message to report a burglary or other emergency.

- (4) **POLICE DEPARTMENT CENTRAL ALARM STATION.** A central alarm station shall be maintained in the Village Municipal Building at such location as the Director of Public Safety may designate.
- (5) **LIMITATIONS.** The Director of Public Safety shall determine the number and type of alarm owners and alarm lessees which may be connected to the police central alarm station. No person shall cause to be connected to the police central alarm station a private alarm system unless such proposed connection receives prior approval in writing by the Director of Public Safety. Any person denied permission to connect to the alarm system may appeal by filing a written notice to the Village Clerk/Treasurer within 10 days of the date of denial. Such appeal shall be heard by the Village Board within 30 days thereafter. The determination of the Village Board shall be final.
- (6) **ALARMS REQUIRED.** The Director of Public Safety shall give priority for connection to the police central alarm system to those persons required by state or federal law or regulation to maintain a police alarm system on their premises; and specifically, shall give priority to financial institutions such as banks, savings and loan associations, government buildings and private businesses dealing in firearms.
- (7) **ALARM REQUIREMENTS.** All persons whose application for connection to the police central alarm station is approved by the Director of Public Safety shall comply with the following conditions:
 - (a) Pay all cost of installation and connection to the police central alarm station.
 - (b) Pay an annual monitoring fee of \$150 to the Village.
 - (c) Use alarm equipment that meets minimum Underwriters Laboratory alarm device standards.
 - (d) Pay all costs of disconnection or termination of service whether such disconnection or termination is initiated by the Director of Public Safety or the alarm user.
 - (e) Perform testing of the alarm system in accordance with rules and procedures promulgated by the Director of Public Safety or his designee.
 - (f) Pay all expenses of termination and reconnection whenever the location of the police central alarm system is changed.

- (g) Sign an agreement holding the Village and the Police Department harmless for any and all damages or losses resulting directly or indirectly from an alarm connection terminating at the Police Department.
 - (h) Each person connected to the central alarm system in accordance with this section shall cause such system to be periodically inspected and maintained in accordance with the manufacturer's recommendations.
 - (i) For various reasons, false alarms for alarm systems frequently occur. Each false alarm requires response by public safety personnel, involves unnecessary expense to the Village, increases the risk of injury to persons or damage to property and dilutes the overall public safety protection to the Village. Such false alarms constitute a public nuisance and must be abated. Persons connected to central alarm systems in accordance with this section shall pay to the Village a charge for false alarms responded to by a Village police officer according to the following schedule for each calendar year for each premises connected:

1. First two false alarms	No charge
2. Third false alarm	\$50.00
3. Fourth and subsequent false alarms	\$100.00
 - (j) Paragraph (i) above is intended to impose strict liability on the person responsible for alarm connection to the police central alarm station and applies regardless of the cause of the false alarm.
- (8) **AUDIBLE OR VISUAL ALARM SYSTEM.** Any person who maintains an audible or visual alarm system on his premises shall be subject to the provisions of par. (7)(i) under the same conditions as central alarm systems.
- (9) **DISCONNECTIONS AND APPEALS.** Failure to comply with any provision of this section or repeated false alarms shall be cause for an alarm system to be disconnected from the Police Department upon 30 days' prior written notice by the Director of Public Safety. Such disconnection shall be made at the alarm holder's expense. An order of disconnection may be appealed by filing a written notice of appeal with the Village Clerk/Treasurer within 10 days of the date of the order. Such appeal shall be heard by the Village Board within 30 days of the date of filing the appeal. The Village Board may affirm, reverse or modify the order of the Director of Public Safety. The determination of the Village Board shall be final. An appeal which is timely filed suspends the disconnection until the Village Board renders its decision. The Village Clerk/Treasurer shall give written notice of the

time and place of the hearing to the appellant not later than 24 hours prior to the hearing. The Director of Public Safety may, at his discretion, require the immediate disconnection of any alarm system connected to the police central alarm station if technical failure or defects of the system result in a continual or sporadic alarm.

- (10) **INTENTIONAL FALSE ALARM.** No person shall intentionally cause the activation of a police alarm device knowing that no crime or emergency exists.
- (11) **AUDIBLE POLICE ALARMS.** No person shall sell, use or install a police alarm which upon activation emits a sound the same as or similar to emergency vehicle sirens or civil defense sirens.
- (12) **PRIVATE ALARM SYSTEMS.** Persons with alarm units that are connected to private alarm companies, including those private alarm companies engaged in the business of monitoring burglary alarm systems, shall pay to the Village the false alarm charge prescribed in par. (7)(i) for false alarms responded to by a Village police officer. The amount of such false alarm charges shall be based on the number of such police responses to each such business, commercial or residential premises.
- (13) **PRIVATE ALARM COMPANIES.** Any person owning, leasing or operating a private alarm system programmed to a central office shall also maintain a maintenance system during the hours that such system is in operation and shall upon request of the Police Department dispatch a company representative to the location of any alarm transmitted so that such representative arrives within one hour of such request. Each premises containing an alarm shall be considered a separate entity for purposes of this section. When reporting an alarm, the caller shall first identify the private alarm company which monitors the alarm. Private alarm companies shall provide the Director of Public Safety with a telephone number at which the maintenance service may be contacted at any time.
- (14) **APPEARANCE AT SITE OF ALARM.** At the request of the Police Department, any person owning or leasing the premises on which an alarm is located shall dispatch a representative or appear in person at the location of any alarm transmitted so that such person or representative arrives within one hour of such request.
- (15) **PENALTIES.** Any person convicted of a violation of this section may be required to forfeit not less than \$50 nor more than \$500 for each such violation. Any person may, in lieu of a court appearance, forfeit the amount set by the Municipal Judge.